

lines and across party lines, work to get things done in the best interests of our natural resources.

Mr. Speaker, we have no further speakers, and I yield back the balance of my time.

Ms. BORDALLO. Mr. Speaker, I again urge Members to support this important piece of legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. BROUN of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

## CHESAPEAKE BAY ACCOUNTABILITY AND RECOVERY ACT OF 2009

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1053) to require the Office of Management and Budget to prepare a cross-cut budget for restoration activities in the Chesapeake Bay watershed, to require the Environmental Protection Agency to develop and implement an adaptive management plan, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1053

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Chesapeake Bay Accountability and Recovery Act of 2009".

### SEC. 2. CHESAPEAKE BAY CROSSCUT BUDGET.

(a) CROSSCUT BUDGET.—The Director, in consultation with the Chesapeake Executive Council, the chief executive of each Chesapeake Bay State, and the Chesapeake Bay Commission, shall submit to Congress a financial report containing—

(1) an interagency crosscut budget that displays—

(A) the proposed funding for any Federal restoration activity to be carried out in the succeeding fiscal year, including any planned interagency or intra-agency transfer, for each of the Federal agencies that carry out restoration activities;

(B) to the extent that information is available, the estimated funding for any State restoration activity to be carried out in the succeeding fiscal year;

(C) all expenditures for Federal restoration activities from the preceding 3 fiscal years, the current fiscal year, and the succeeding fiscal year; and

(D) all expenditures, to the extent that information is available, for State restoration activities during the equivalent time period described in subparagraph (C);

(2) a detailed accounting of all funds received and obligated by all Federal agencies

for restoration activities during the current and preceding fiscal years, including the identification of funds which were transferred to a Chesapeake Bay State for restoration activities;

(3) to the extent that information is available, a detailed accounting from each State of all funds received and obligated from a Federal agency for restoration activities during the current and preceding fiscal years; and

(4) a description of each of the proposed Federal and State restoration activities to be carried out in the succeeding fiscal year (corresponding to those activities listed in subparagraphs (A) and (B) of paragraph (1)), including the—

(A) project description;

(B) current status of the project;

(C) Federal or State statutory or regulatory authority, programs, or responsible agencies;

(D) authorization level for appropriations;

(E) project timeline, including benchmarks;

(F) references to project documents;

(G) descriptions of risks and uncertainties of project implementation;

(H) adaptive management actions or framework;

(I) coordinating entities;

(J) funding history;

(K) cost-sharing; and

(L) alignment with existing Chesapeake Bay Agreement and Chesapeake Executive Council goals and priorities.

(b) MINIMUM FUNDING LEVELS.—The Director shall only describe restoration activities in the report required under subsection (a) that—

(1) for Federal restoration activities, have funding amounts greater than or equal to \$100,000; and

(2) for State restoration activities, have funding amounts greater than or equal to \$50,000.

(c) DEADLINE.—The Director shall submit to Congress the report required by subsection (a) not later than 30 days after the submission by the President of the President's annual budget to Congress.

(d) REPORT.—Copies of the financial report required by subsection (a) shall be submitted to the Committees on Appropriations, Natural Resources, Energy and Commerce, and Transportation and Infrastructure of the House of Representatives and the Committees on Appropriations, Environment and Public Works, and Commerce, Science, and Transportation of the Senate.

(e) EFFECTIVE DATE.—This section shall apply beginning with the first fiscal year after the date of enactment of this Act for which the President submits a budget to Congress.

### SEC. 3. ADAPTIVE MANAGEMENT PLAN.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator, in consultation with other Federal and State agencies, shall develop an adaptive management plan for restoration activities in the Chesapeake Bay watershed that includes—

(1) definition of specific and measurable objectives to improve water quality, habitat, and fisheries;

(2) a process for stakeholder participation;

(3) monitoring, modeling, experimentation, and other research and evaluation practices;

(4) a process for modification of restoration activities that have not attained or will not attain the specific and measurable objectives set forth under paragraph (1); and

(5) a process for prioritizing restoration activities and programs to which adaptive management shall be applied.

(b) IMPLEMENTATION.—The Administrator shall implement the adaptive management plan developed under subsection (a).

(c) UPDATES.—The Administrator shall update the adaptive management plan developed under subsection (a) every 3 years.

(d) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 60 days after the end of a fiscal year, the Administrator shall transmit to Congress an annual report on the implementation of the adaptive management plan required under this section for such fiscal year.

(2) CONTENTS.—The report required under paragraph (1) shall contain information about the application of adaptive management to restoration activities and programs, including programmatic and project level changes implemented through the process of adaptive management.

(3) EFFECTIVE DATE.—Paragraph (1) shall apply to the first fiscal year that begins after the date of enactment of this Act.

### SEC. 4. INDEPENDENT EVALUATOR FOR THE CHESAPEAKE BAY PROGRAM.

(a) IN GENERAL.—There shall be an Independent Evaluator for restoration activities in the Chesapeake Bay watershed, who shall review and report on restoration activities and the use of adaptive management in restoration activities, including on such related topics as are suggested by the Chesapeake Executive Council.

(b) APPOINTMENT.—

(1) IN GENERAL.—The Independent Evaluator shall be appointed by the Administrator from among nominees submitted by the Chesapeake Executive Council.

(2) NOMINATIONS.—The Chesapeake Executive Council may submit to the Administrator 4 nominees for appointment to any vacancy in the office of the Independent Evaluator.

(c) REPORTS.—The Independent Evaluator shall submit a report to the Congress every 3 years in the findings and recommendations of reviews under this section.

(d) CHESAPEAKE EXECUTIVE COUNCIL.—In this section the term "Chesapeake Executive Council" has the meaning given that term by section 307 of the National Oceanic and Atmospheric Administration Authorization Act of 1992 (Public Law 102-567; 15 U.S.C. 1511d).

### SEC. 5. DEFINITIONS.

In this Act, the following definitions apply:

(1) ADAPTIVE MANAGEMENT.—The term "adaptive management" means a type of natural resource management in which project and program decisions are made as part of an ongoing science-based process. Adaptive management involves testing, monitoring, and evaluating applied strategies and incorporating new knowledge into programs and restoration activities that are based on scientific findings and the needs of society. Results are used to modify management policy, strategies, practices, programs, and restoration activities.

(2) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Environmental Protection Agency.

(3) CHESAPEAKE BAY STATE.—The term "Chesapeake Bay State" or "State" means the States of Maryland, West Virginia, Delaware, and New York, the Commonwealths of Virginia and Pennsylvania, and the District of Columbia.

(4) CHESAPEAKE BAY WATERSHED.—The term "Chesapeake Bay watershed" means the Chesapeake Bay and the geographic area, as determined by the Secretary of the Interior, consisting of 36 tributary basins, within the Chesapeake Bay States, through which precipitation drains into the Chesapeake Bay.

(5) CHIEF EXECUTIVE.—The term "chief executive" means, in the case of a State or Commonwealth, the Governor of each such State or Commonwealth and, in the case of the District of Columbia, the Mayor of the District of Columbia.

(6) DIRECTOR.—The term “Director” means the Director of the Office of Management and Budget.

(7) RESTORATION ACTIVITIES.—The term “restoration activities” means any Federal or State programs or projects that directly or indirectly protect, conserve, or restore living resources, habitat, water resources, or water quality in the Chesapeake Bay watershed, including programs or projects that promote responsible land use, stewardship, and community engagement in the Chesapeake Bay watershed. Restoration activities may be categorized as follows:

- (A) Physical restoration.
- (B) Planning.
- (C) Feasibility studies.
- (D) Scientific research.
- (E) Monitoring.
- (F) Education.
- (G) Infrastructure Development.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Virginia (Mr. WITTMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

#### GENERAL LEAVE

Ms. BORDALLO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Guam?

There was no objection.

Ms. BORDALLO. Mr. Speaker, restoration of Chesapeake Bay continues to be a very important goal for Congress and the administration, yet accounting and oversight is difficult because the restoration activities are managed concurrently by a network of Federal agencies, States, and non-governmental organizations.

The pending measure introduced by our colleague, Mr. WITTMAN of Virginia, would enhance congressional oversight of restoration activities in Chesapeake Bay by requiring the preparation of a crosscut budget. It would also require the Environmental Protection Agency and other partners to develop and implement a comprehensive adaptive management strategy for restoration activities to ensure that the best available scientific information is incorporated.

So I ask Members, Mr. Speaker, to support H.R. 1053.

I reserve the balance of my time.

Mr. WITTMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would first like to thank Chairman RAHALL, Ranking Member HASTINGS, Mr. BROWN and Ms. BORDALLO for working with me to bring this legislation to the floor.

I am honored to represent Virginia's First Congressional District. The First District includes many of the bay's major tributaries and borders much of the Chesapeake's shores. Improving the health of the bay is a priority to me and many of my constituents, and I think most Members of Congress.

As Members have heard on a number of occasions, the health of the Chesapeake Bay is in trouble. While the States and Federal Government continue to fund restoration activities, the news has not been getting much better. It is time we reevaluate our efforts and determine if we can get better results from Federal and State expenditures.

I offered H.R. 1053, the Chesapeake Bay Accountability and Recovery Act, to address these issues and help move forward bay cleanup efforts.

H.R. 1053 would implement and strengthen management techniques like crosscut budgeting and adaptive management to ensure that we get more bang for our buck and continue to make progress in Chesapeake Bay restoration efforts.

Both techniques will ensure that we're coordinating how restoration dollars are spent and making sure that everyone understands how individual projects fit into the bigger picture. That way, we're not duplicating efforts, wasting money, or working at cross purposes.

H.R. 1053 would require the Office of Management and Budget, in coordination with State and Federal agencies involved in the bay, to report to Congress on the status of Chesapeake Bay restoration activities. This legislation would also require the Environmental Protection Agency to develop and implement an adaptive management plan for the Chesapeake Bay and all of its restoration activities.

Finally, on recommendations heard during committee hearings on this bill, we included the creation of an independent evaluator for the bay. An independent evaluator will serve to help implement adaptive management and drive success in the bay program.

I believe that these are key components for the complex restoration activities necessary to truly bring the bay back to a state that we will all be pleased with.

I ask my colleagues to support H.R. 1053.

I reserve the balance of my time.

Ms. BORDALLO. Mr. Speaker, I yield to the gentleman from Maryland (Mr. SARBANES) such time as he may consume.

Mr. SARBANES. Mr. Speaker, I want to thank Chairperson BORDALLO again for yielding to me.

I want to urge my colleagues to support H.R. 1053, Congressman WITTMAN's bill. I'm a cosponsor and proud to be one. This is a good way of bringing more of a comprehensive perspective to our efforts on behalf of the Chesapeake Bay.

As many have mentioned, you know, we're talking about the bay, we're talking about a watershed with a tributary system that originates in six States and the District of Columbia, all flowing into the Chesapeake Bay. So we've got a lot of geographic areas to manage and link together, as well as numerous organizations, governmental and nongovernmental organizations, citizens organizations, educational organizations, that are all working on the same goal.

There's only benefit that can be had when you bring this crosscutting perspective in terms of the dollars that are spent, and I want to congratulate Congressman WITTMAN for bringing that kind of discipline to the overall program.

I also just wanted to emphasize the adaptive management strategy, because in a way this dovetails very nicely with the bill we just spoke about regarding reauthorization of the NOAA office, and the reason is that what adaptive management strategies are all about is recognizing if you can adopt a certain strategy to deal with the health of the Chesapeake Bay, and then just put it on a course, it never changes.

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Science is always changing, and because science changes, we have to adjust to make sure that our management strategies reflect that science. The very kind of information and data that the NOAA office will be producing because it is reauthorized is the exact kind of data that can be used for this adaptive management approach.

So I think this is a very good and strong bill, and is going to enhance our efforts to protect and preserve and strengthen the Chesapeake Bay over time. I congratulate Congressman WITTMAN for his efforts, and I urge support of the bill.

Mr. WITTMAN. Mr. Speaker, we have no additional speakers, and with that I yield back the balance of my time.

Ms. BORDALLO. Mr. Speaker, I applaud the author of this legislation, Mr. WITTMAN of Virginia, and I again urge Members to support this very important legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 1053, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. BORDALLO. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### NATIONAL LIFE INSURANCE AWARENESS MONTH

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 16) supporting the goals and ideals of National Life Insurance Awareness Month.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 16

Whereas life insurance is an essential part of a sound financial plan;